

Serial No.: To Be Assigned

Attorney Docket No.: 02811-0141US (42368-258914)

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**In the Claims:**

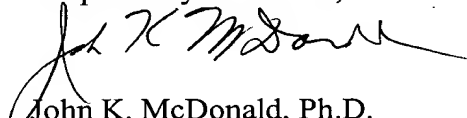
Prior to examination of the above-referenced patent application, please cancel Claims 3-10 and add the following claims:

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11. (New) The method of Claim 1, wherein the effective amount is effective to induce the synthesis of cytokine IL-10.
12. (New) The method of Claim 2, wherein the effective amount is effective to induce the synthesis of cytokine IL-10.
13. (New) The method of Claim 1, wherein the pharmaceutically acceptable carrier is selected from the group consisting of a liquid carrier and a solid carrier.
14. (New) The method of Claim 2, wherein the pharmaceutically acceptable carrier is selected from the group consisting of a liquid carrier and a solid carrier.
15. (New) A composition comprising *Mycobacterium phlei*-DNA preserved and complexed on a *Mycobacterium phlei* cell wall (MCC) and a pharmaceutically acceptable carrier.
16. (New) Use of the composition of Claim 15 for treating or preventing inflammation in an animal.
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By this amendment, Claims 3-10 are cancelled and Claims 11-16 are added. There are now eight (8) claims pending in this case. These are 1, 2 and 11-16. For the Examiner's convenience, a complete set of pending claims is attached.

No additional fees are believed due; however, the Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, to Deposit Account No. 11-0855.

Respectfully submitted,

  
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**Pending Claims**

1. A method of preventing an inflammation in an animal, comprising administering to the animal an effective amount of a composition comprising *Mycobacterium phlei*-DNA preserved and complexed on a *Mycobacterium phlei* cell wall (MCC) and a pharmaceutically acceptable carrier, thereby preventing the inflammation in the animal.

2. A method of treating an inflammation in an animal, comprising administering to the animal an effective amount of a composition comprising *Mycobacterium phlei*-DNA preserved and complexed on a *Mycobacterium phlei* cell wall (MCC) and a pharmaceutically acceptable carrier, thereby treating the inflammation in the animal.

11. (New) The method of Claim 1, wherein the effective amount is effective to induce the synthesis of cytokine IL-10.

12. (New) The method of Claim 2, wherein the effective amount is effective to induce the synthesis of cytokine IL-10.

13. (New) The method of Claim 1, wherein the pharmaceutically acceptable carrier is selected from the group consisting of a liquid carrier and a solid carrier.

14. (New) The method of Claim 2, wherein the pharmaceutically acceptable carrier is selected from the group consisting of a liquid carrier and a solid carrier.

15. (New) A composition comprising *Mycobacterium phlei*-DNA preserved and complexed on a *Mycobacterium phlei* cell wall (MCC) and a pharmaceutically acceptable carrier.

16. (New) Use of the composition of Claim 15 for treating or preventing inflammation in an animal.